

MINUTES
YANCEYVILLE TOWN COUNCIL
March 31, 2014
7:00 PM

The Special Meeting of the Yanceyville Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on March 31, 2014 at 7:00 PM.

Council members present: Curtis E. Davis-Mayor, Alvin Foster-Mayor Pro-Tem, Keith Tatum, Odessa Gwynn, and Brian Massey.

Staff: Brian Collie, Town Manager & Lee Farmer, Town Attorney

Item 1- Call To Order

Mayor Davis called the meeting to order at 7:00 PM. The meeting opened with silent prayer followed by the pledge of allegiance. The Mayor also reviewed the Statement of Rules and Procedures.

Item 2- Review and Adoption of Agenda-Mayor & Council

Mr. Alvin Foster made a motion to adopt the agenda as presented. The motion was seconded by Mrs. Odessa Gwynn and passed with a unanimous vote.

Item 3- Consent Agenda

Mayor Curtis Davis presented the consent agenda. After review from Council Mr. Foster made a motion to approve the minutes from Town Council's February 4th, 2014 meeting. The motion was seconded by Mrs. Odessa Gwynn and passed with a unanimous vote.

Mr. Brian Massey then made a motion to approve the March 11th, 2014 Town Council minutes as presented. Mrs. Gwynn said that under item 2 as presented that it did not correctly reflect her words when discussing the former attorney's resignation. Mr. Collie stated that he had already corrected the issue. Mr. Keith Tatum seconded the motion with the revised version. The motion passed with a unanimous vote.

Item 4- Public Comments

Mayor Davis welcomed Ms. Margie Badgett-Lampkin. Ms. Badgett-Lampkin stated that she resided at 168 Dillard School Dr. Mrs. Badgett-Lampkin read from a letter she had written. She discussed that she was shocked at last meeting when Council did not answer Councilwoman Gwynn's request about an upcoming conference. She said that when she was on Council that she attended every year and that it gave her the opportunity to acquire the grant from the Rural Center for the NC Step program. She said that the Town's affiliation with groups such as NCBEMO has brought back valuable information to the Town. She said it has helped the Town to bring in design teams, kept us informed about general statutes, and helped us write grants. She stated that yes, the information at the Black Elected Officials Summit, and at NCBEMO does help 100% of the Town's citizens even though our population here is 54.4% African-American.

Ms. Ruby Graves addressed Council and stated that she lived at 950 Main Street. She said that she has addressed Council on five different occasions concerning former Town Manager, Haynes Brigman's action on the square on October 31st, 2013. She wants the Town to write an ordinance to protect citizens against future staff from doing the same thing.

Mr. Gilbert Anderson addressed Council and stated that he lived at 166 Court Square. Mr. Anderson spoke about the need to always follow the law and be transparent. He spoke about his recent trip to Detroit and about their industrial space. He said that after being there it felt good to come back to Yanceyville. He spoke about the mix up with the changing of the meeting dates and that he had spoken with the manager to clear it up. He stated that the Town needed more investment and that we should all encourage staff and Council to seek as much education as possible and attend as many seminars and conferences as we could. He said that sometimes contacts you meet at these events go a long way.

Item 5- Public Hearing for CDBG Grant for Water Sewer Funding- General Discussion

Mayor Davis stated that we needed a motion to go into public hearing. Mr. Foster made a motion to go into public hearing. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote. Mr. Foster explained that the purpose of the first public hearing was to hold a generic public hearing regarding the application for Community Development Block (CDBG) Grant Water Sewer funding from the NC Department of Natural and Environmental Resource (DENR). Funds are provided by the U.S. Department of Housing and Urban Development and distributed to the counties through the state. The grant is for water or sewer lines to serve Low to Moderate Income areas of Yanceyville. Mr. Gilbert Anderson spoke about improving the overlap of sidewalks overtop of water/sewer lines that need fixing. After further discussion a motion was made by Mr. Foster to go out of Public hearing. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 6- Public Hearing for CDBG Grant for Water Sewer Funding- Project Specific

Mayor Davis stated that we needed a motion to go into public hearing for agenda item 6. A motion was made by Mrs. Gwynn to go into public hearing. The motion was seconded by Mr. Foster and passed with a unanimous vote. Mr. Foster explained that the second public hearing shall be a project specific hearing also regarding the application for Community Development Block (CDBG) Grant Water Sewer funding from the NC Department of Natural and Environmental Resource (DENR). Aerial maps show three potential projects that Town Council could consider if we receive funding. The first is a sewer line replacement to eliminate odor in a densely populated neighborhood on Main St. The Second two are to construct two new water lines eliminating two dead end lines which will improve water quality for residents and increase water pressure for fire protection. These projects are located on Ninth St, and School Dr.

Mrs. Susan Merritt asked if the School dr. loop was involving any sewer lines. Mr. Foster said that it was only for water line extensions on that road. Mr. Gilbert Anderson asked if there was any structural reasons for why School Dr. isn't developed. Mr. Foster said that he wasn't sure why it isn't developed but that this was to improve water quality to existing residents. Mr. Albert tardy asked about the Main St. sewer line project and much line would be replaced. Mr. Foster estimated about 450 ft. Mr. Gilbert Anderson made the point that it might be a good idea when improving dead end lines to go ahead and put in a return line as well. After further discussion Mr. Foster made a motion to go out of public hearing. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 7- CDBG Resolution for Water/Sewer Funding

After review of the resolution pertaining to Item 5 & 6 on this agenda through the Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI), Mr. Foster made a motion to accept the resolution as presented. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 8- Elected Official Policy

Mayor Davis asked Manager, Brian Collie to present. Mr. Collie spoke about how recently discussed at our last Council meeting he was made aware that Town Council members did not have a travel policy. He said that he felt that we need to have something in place so that each Council member has the same opportunity to go to the conferences, seminars, and meetings that they need or would like to attend. He said that he found a previous travel policy in the Town's files that was constructed in 2010 that was never adopted. He said that Town Council has a version of that policy in their agenda packets for review. After discussion Mrs. Gwynn asked why NCBEMO was not listed in the exceptions. Mr. Collie said that he did not alter the list that was on the 2010 version. Mr. Foster asked if BEMO was indeed an affiliate of the NC League of Municipalities. Mrs. Badgett-Lampkin asked to speak and said that they are an affiliate of the NC League of Municipalities. Mrs. Gwynn said that the NCLM and the NCBEMO have got to go together. She said that the Town would not have received the \$200,000 in grant funding if it weren't for the contact that Mrs. Badgett-Lampkin made with Sharon Campbell at the a NCBEMO event.

Mr. Foster said that the policy was written to address organizations that the Town was a member of and to also allow \$500 per Council member each year to go to events that would benefit the Town that aren't specifically listed. Mrs. Gwynn said in this budget year we did not budget for each individuals travel. She said that she was disappointed at the last Council meeting when the Mayor and Mayor Pro-tem didn't speak up about her request to go to the NC Black Elected Officials Summit because they know that Council members have gone in the past. Mayor Davis asked Mrs. Badgett-Lampkin where exactly the \$200,000 she was talking about came from. She said that it was from networking at a NCLM meeting and that Sharon Campbell remembered their discussion about Yanceyville's needs at a NC Step meeting and that the funding was derived through that connection and given by the Rural Center. Mr. Tatum asked about the five listed exceptions. He wanted to know did we normally just send one person or if the Town allowed anyone that wanted to go. Mrs. Gwynn said that in her experience that its anyone that wants to go. Mr. Tatum asked why don't we just send one person and save some money on travel. Mrs. Gwynn said that because at some conferences there are overlap seminars that maybe multiple Council members need to attend. After further discussion mayor Davis asked what the pleasure of the Board was. Mr. Massey asked if the trips usually go over \$500 and if everyone thought \$500 was a fair amount. Manager Collie said that the \$500 was only for trips Council wants to take outside of the five listed exceptions. Mrs. Gwynn asked if we could suspend travel until Council could spend more time looking into the policy. Mr. Foster said if we are comfortable with the policy already in front of us we can go ahead and adopt it and then come back next year and see how well it is working. Mayor Davis said we can adopt it tonight and then re-address it in a year. Mrs. Gwynn asked if NCBEMO was going to be added to the list of exceptions. Mr. Massey asked if we could add affiliates to the NC league of Municipalities exception. Mayor Davis asked for all that were in favor. Mrs. Gwynn made a motion to adopt the presented policy with the addition of adding and their affiliates to the League of Municipalities exception. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Item 9- Town Manager Report

Manager, Brian Collie stated that preparation for the 2014-2015 budget is now beginning. He said included in this packet is an outline of his proposal for setting the budget calendar for the Town Council. The proposal includes suggested meeting times and a schedule for budget adoption. After discussion the Council agreed to have the first Budget workshop on April 8th, 2014 at 7:00 p.m.

Mr. Collie stated that Mayor Davis, Fire Chief, Vernon Massengill, representatives from Alley, Williams, Carmen, and King, and himself met with three representatives from the USDA on March 25th to look at the Fire Station and talk about the possibility of securing grant funding for the project. Unfortunately we were told that we will not be able to receive as much grant monies as initially anticipated. He said that Alan Hart, with the USDA informed us that the maximum amount that could be awarded for this project is \$50,000, and after discussion it seems to me that it would be less than that due to a very tight budget. Mayor Davis made a motion to allow staff to seek additional means of funding the Fire Department project. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Mr. Collie stated that the Town received bids on March 25, 2014 for the Emergency Waterline project. 13 Bids were received with the lowest bid coming in at \$845,602 from Tony E. Hawley Construction out of Wilson, N.C. Mr. Darrell Russell from AWCK is in the process of reviewing all of the bids and I am awaiting his response.

Mr. Collie said that he was informed this past week from N Focus Planner, Bill Duston that Mr. Haynes Brigman signed a contract back in August 2013 with the company to update the Town's Zoning Ordinance. I have attached the contract letter in the agenda packet for your review. Mr. Duston stated that nothing had been done yet pertaining to the update and he wanted to know if the Town still wanted him to pursue the project. It is unclear to me what exactly Town Council was seeking to get updated in the Zoning Ordinance and I would like to know if you would like me to take action on this issue. Council agreed to not allow N Focus to pursue the update at this time.

Item 10- Closed Session Pursuant to NC G.S. 143-318.11(a)

Mayor Davis asked for a motion to go into closed session for Economic Development discussion. Mr. Foster made the motion to go into closed session. The motion was seconded by Mr. Tatum and passed with a unanimous vote. Minutes from this closed session are located within the Town Clerk's office and are available for Town Council's review.

Adjournment

Mr. Foster made a motion to come back into open session. The motion was seconded by Mr. Tatum and passed with a unanimous vote. Mayor Davis asked for a motion to adjourn. Mrs. Gwynn asked about the notice of violation letter sent out to the public about the water plant violation and why it wasn't sent out sooner. Mr. Collie said that the violation happened before he started working with the Town and that once he was certain that it needed to be done is when it was sent out. Mrs. Gwynn asked if anyone from the Town received a letter from Balance Law Firm about the Totten properties. Mr. Collie said that nobody had a record of receiving the letter and that he had only seen a copy. Mrs. Gwynn showed concern about how the Town is currently handling its code enforcement cases. Mrs. Gwynn asked about the agreement letter from Town Attorney, Lee Farmer that he was supposed to supply to the Town. Mr. Collie said that he had received the letter. Mrs. Gwynn then asked what the status of getting letters to the

parties affected in the matter involving former Town Manager, Haynes Brigman on October 31st, 2013. Town Attorney, Lee Farmer said that they should go out tomorrow. Mrs. Gwynn then asked if were set to go with First Fridays. Mayor Davis said that everything was lined up. Mr. Foster made a motion to adjourn. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Brian Collie, Town Manager, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

Curtis E. Davis, Mayor

Brian S. Collie, Town Clerk